

**UNITED STATES DISTRICT COURT
for the
DISTRICT OF MINNESOTA**

DR. KEITH F. BELL

§

Plaintiff Pro Se,

§

Case No. 223-v-3008 (JRT/JFD)

vs.

§

JURY TRIAL DEMANDED

SHOW-RITE FEEDS

§

Defendant

§

DECLARATION OF DR. KEITH F. BELL

I, Dr. Keith F. Bell, declare as follows:

1. In 1981 while I was enrolled in a PhD program in counseling psychology at the in Psychology at the University of Texas (“UT”) I had some ideas about outperforming the competition and enjoying the process. [See: Dkt. No. 1. Exhibit 4.]

2. Subsequently, I tested my ideas on myself; then managed to create opportunity to put my ideas into work with the UT Austin swimming and diving, golf, tennis, baseball, and other intercollegiate sports teams.

3. I was the first person to string the three words “Winning Isn’t Normal” together.

4. I was the first person to put the phrase “Winning Isn’t Normal” in writing.

5. The Winning Isn’t Normal “Passage” (“WIN”) appears on page 8 of the Introduction of the book which is my own creative philosophy on what I believe is the best way to outperform the competition.

6. WIN is the heart of the book, the source for the name of the book and the inspiration and basis from which I built the book. The rest of the book is examples of and extrapolations of my WIN Philosophy.

7. In 1989 I registered the Copyright TX0002672644 for my book entitled: "Winning Isn't Normal."

8. In 2010 I began marketing WIN posters, shirts, and other WIN products through my websites' sales pages, advertising (mostly in swimming magazines and in person, via mail outs, at swimming events, speaking engagements, and various other opportunities.

9. In 2017, in good faith, I applied for copyright registration TX-0008503571 for WIN, which the U.S. Copyright Office granted.

10. I've had no fraudulent intentions in applying for any of my Copyright Registrations.

11. Contrary to the Defendant's assertions, I had every reason to believe my copyright registration was valid.

I declare under the penalty of perjury under the laws of the United States that the above statements are true and correct to the best of my knowledge.

Executed on May 6, 2024.



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